

Agriculture Fights Back On False Claims

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been found to not be up to the challenge of animal agriculture, and some of the statements that have been made by animal activists," Curtis said. "This bill attempts to bring them in and hold them to their false statements.

"The generic laws on the books in several states have not proven to be very effective, and there is a move by several national commodity organizations to try to see state laws enacted that will make it possible to be more specific about disparagement of agricultural products.

"It is very well known that agriculture has been hurt in the veal industry that came under the onslaught of criticism about 15 years ago in the U.S. Beginning about five years ago, veal began to feel the real impact. The way the American veal industry has been able to maintain stability has been by taking advantage of the export market. The domestic demand for special fed veal has really gone down, probably as a direct result of false statements that have been made about animal production.

"We believe all agriculture is vulnerable, and we think it is a real threat to the vitality of agriculture and animal agriculture. That's why we are very glad to see this legislative effort," Curtis said. "We are pleased to see Representative Miller bring this bill to the Pennsylvania legislature, and we hope it will pass."

Miller said that after only one week of circulation, 20 bi-partisan co-sponsors have already come forth for the bill. In addition to the Grange, other organizations listed as supporting the legislation were the Pennsylvania Livestock Association; Pennsylvania Dairymen's Association; Pennsylvania Poultry Federation, and Pennsylvania for the Responsible Use of Animals.

The bill would make individuals who make false statements against food and other commodities financially liable for those remarks. "We introduced this legislation because unfounded claims are being made by non-scientific groups that lead to economic harm to farmers and other producers," Miller said. "Farmers constantly need to defend allegations that their products are in some way harmful to consumers. This bill was introduced because agricultural and aquacultural products and commodities constitute an important and significant portion of the state economy.

"Agriculture is our number one industry, but some people don't realize it. What we envision happening is that before people blatantly make a statement without sound scientific substantiation, they will have to research their facts. And, they are going to be more careful about making damaging claims. The bill is about responsibility," Miller said.

Gordon Hiller, State Grange president, said an anti-disparagement law has been passed in several other ag-oriented states, and he urged members of Pennsylvania's general assembly to enact a law here, too.

"The vitality of Pennsylvania's commodities is crucial to the economic stability and continued growth of the Commonwealth," Hiller said. "False, uninformed or unsubstantiated disparaging statements only serve to damage our credibility and needlessly erode consumer confidence."

Disparagement in the bill means

the publication to a third party of a false factual statement that concerns the plaintiff's specific perishable agricultural food product or commodity and clearly imputes the safety of the product or is intended to cause harm to the plaintiff's pecuniary interest or should reasonably be recognized that it was likely to do so. In addition, statements made with actual malice or known false reckless disregard of the truth are covered.

Perishable food is any agricultural or aquacultural food product which is sold or distributed in a form that will perish beyond marketability within a short period of time is included, as is agricultural or aquacultural practice used in the production of such a product or commodity. On a question from this reporter, Miller said legal council believes the bill would help with false accusations made against accepted production practices on individual farms. Individuals, companies, and associations have recourse in the bill.

Brenda Shambaugh, legislative director, introduced other major Grange legislative initiatives that were to be presented at the legislative dinner later in the day. A brief summary of these initiatives are as follows:

HB 2202 (et al) Local Tax Reform - The Grange endorses legislation that requires less reliance on property tax and more emphasis on equal tax. The Grange also supports more local control on the tax formula because one tax base is different than another across the state. Both the Senate and House have their local tax reform packages. Both versions are in the Senate with the House passing its version earlier. We support the House version, but want to make it clear that it must stay revenue neutral and reduce property taxes.

HD 398 Contract Managers - The Bill passed the House and is in the Senate Education Committee. Our policy to support the bill came from our last convention. The bill allows school districts to hire contract managers who assist in construction projects. They do not work on commission like a general contractor so there is no incentive to cut corners. The manager is the person or group who supervise the work from start to finish to determine the best and most cost effective job. We know of several school districts who have used contract managers and have saved thousands.

HB 2651 Humane Agents - Requires all humane agents to go through a PA Department of Agriculture program before they are allowed to investigate a farm-related complaint. There was a problem in Fayette County where the humane agent came on the farm and was unfamiliar with animal husbandry practices. The person was, unfortunately, argumentative and caused a public outcry. The bill is in the House Agriculture Committee and there was a hearing on April 15, 1994. The Grange testified in favor of the bill.

HB 2520 Farmland Preservation - The House Agriculture Committee passed several bills to better assist farmers who want to participate in the program. The farmland preservation program is a way for the Commonwealth to save prime farmland by purchasing the easement of development rights from the farmer.

The most significant bill is HB 2520 because the committee lis-

tened to Grange testimony at a hearing last summer. HB 2520 reduces the acreage needed to create an agricultural security area from 500 to 250 acres. Farmers who want to participate in the farmland preservation program must belong to an agricultural security area. We have found that some farmers in a developing area are finding it difficult to find 500 acres in the area.

By reducing the acreage, it will make it easier to form an ASA and consequently make it easier to participate in the farmland preservation program.

State Budget - The Grange is in a unique position of being pleased with the governor's proposal - except for the agricultural research line item at Penn State University. PSU does incredible research for agriculture at their College of their Agricultural Sciences.

The research benefits all those who eat food, not only those who produce it. From less costly production, to higher yields, to food safety, it all comes down to research. To cut this imperative line item is a travesty.

SB 351 - Water Resource Management - The Grange would like to see significant changes to the current draft of this legislation. The current bill is about water quantity, not water quality. It's a comprehensive program of water resource conservation in case of a drought. Currently, DER is responsible for preparing a state water plan. There would be a state water resource advisory committee to advise DER on development of the plan.

DER would be required to establish and maintain a statewide inventory and record water usage. While we think DER should accomplish an inventory, we believe the plan should be created on the local level. Local committees should be comprised of leaders, businesses, agricultural representatives and local conservation district directors. We support the idea that eight regional boards should be created, which, in turn, would be combined at the state level to make the state water resource plan.

The bill is currently in the Senate Environmental Resources Committee.

SB 955 Deep Mine Mediation - (Passed Senate; currently in House Conservation Committee)

This bill, supported by the Grange, provides protections against underground mining. Currently, there are no protections provided by law against mine subsidence for structures built after 1966. This bill states that coal companies would be able to long wall mine, but they have to provide compensation or replacement of any damage they cause. There is what is called a rebuttable presumption clause in the bill that states that coal companies must provide their mining efforts did not cause the damage rather than the landowner proving the damage is a result of the mining.

HB 1353 Wetlands - (In House Conservation Committee) Because farmers must derive their livelihood from the land, farmers must be compensated to equal the loss in value of acres set aside for the preservation of wetlands. A fair wetland protection program must take the financial hardship of a farmer into consideration.

HB 1353 clearly identifies a wetland and establishes standards for the regulations of those wetlands. It allows for normal farm-

ing practices to be accomplished on wetlands. It also classifies wetlands based on their importance to the area.

Underground Storage Tank Superfund - As a result of recent federal law, a storage tank superfund was created in Pennsylvania. An annual assessment has been used to fund the superfund for all owners storing diesel fuel and heating oil. Because the assessment is done by tank size rather than quantity used, many farmers are being assessed the same fees per tank as many commercial fuel dealers.

For farmers, the costs could be hundreds of thousands of dollars. We are working with the General Assembly to determine what can be done legislatively to resolve the issue.

USDA Restructuring - The Pennsylvania State Grange advocates moving food welfare programs, rural housing and other non-farm public service programs administered by the USDA under one agency like the Department of Public Welfare. The Grange supports co-located service centers under a 30-30-30 formula where a minimum of 30 farmers would not have to travel more than 30 miles or need more than 30 minutes' time to get to a service center. The Grand backs converting the Soil Conservation Service to the National Resource Conservation Service, but feels the function of SCS should continue to be technical with priority given to farmers.

Health Care - The Grange supports freedom of choice for medical providers and facilities; uniform fee schedules, benefits and eligibility requirements, including coverage for in-home care. Health care that maintains existing preferred or association group health care plans; and contributions based on ability to pay.

Clean Water Act - Congress is expected to rewrite the Clean Water Act of 1972 as emphasis shifts from point sources to non-point sources of pollution. The Grange urges Congress to maintain full funding of up to \$400 million, to be spent with a state's matching funds, on programs to provide educational and technical assistance to address non-point problems. Full funding, the Grange believes must be a priority in any Clean Water Act reauthorization. Pollution control programs must be based on voluntary, locally-designed programs that meet the voluntary cooperation of farmers and landowners to use best management practices. The program should be administered by a single federal agency and must protect the rights of farmers and landowners.

Prior to the evening banquet a forum for the candidates for governor was held. In addition workshops on various topics including local tax reform, environmental issues and health care were held. The PA State Grange represents 35,000 members.

Beef Expo Posts Sale Results

HARRISBURG (Dauphin Co.)

— The 1994 Pennsylvania Beef Expo breed sales, held for the first time at the Farm Show Complex in Harrisburg, grossed \$190,560 from 153 lots of Angus, Charolais, Limousin, Polled Hereford, and Simmental. A special American Highland show was also held.

The Angus high-selling bull was a one-half interest in GS Duster 301C, a 2-23-93 son of Ginger Hill Duster 89, consigned by Stockdale Farm, Dayton, and purchased by Boart's Farms, Ford City, for \$3,000. South Branch Blackbird 002, a 1-29-90 heifer and her heifer calf, sold for \$3,200 to Jeffrey Keifer, Bangor. A Twin Oaks consignment, Twin Oaks Blackcap 2031, born 9-25-91, with her heifer calf, sold for \$3,000 to Jason Slaughter, Mission, S.D.

Charolais high-selling lot was Rainbow's Jewel 428 by BR Prospector W660, purchased by Dale Gard, Richmond, Ind., for \$1,650. Rainbow's Jewel 378, sired by BR Prospector W660 and consigned by Rainbow Farm, West Tisbury, Maine, was purchased by Paul D. Miller, Spring Grove, for \$1,000.

The top-selling Limousin was a 1-16-93 bull, GPF Bear Cat, sired by NMCC Polled Black Powder from the Green Pastures/Fairland Farms, Louisville, Ohio for \$2,700 to Pleasant Valley Farm, Brookville, Md. Second top-selling lot was GPF Miss Melanie LKCC Black Nugget 906U purchased by Max Bingham, Creamer, for \$1,800.

In the Polled Hereford sale, a 3-26-93 bull, Salunga Player 50C, sired by Louada 800 Sylvester 244, consigned by Salunga Acres, Mt. Joy was purchased by Scenic View Farm, Manns Choice, for \$3,100. CS Miss 1st Vision, a 4-4-90 female with calf at side

from the Stockdale Farm, Dayton, sold for \$2,750.

Two Polled Hereford flush cows from the Circle B Farm, Dillsburg, were consigned. One-fourth interest and no possession of SBF Royal Red Rose 8407 sold for \$1,000 to Granberry's Hidden Acres, Zellenople, and one-sixth interest and no possession in SBF Royal Gypsy (full value \$4,000) sold to Susquehannock Farm, Sunbury for \$800 (full value \$4,800).

In the Simmental sale, DVF Ms. Bloomin, a 6-1-93 Polled heifer consigned by Dunkard Valley Farm, Dallastown, sold for \$2,850 to Troy Gelsinger, Wernersville. A 3-20-93 heifer, Cherokee Black Miss, from the herd of Cherokee Fur Co., Hopewood, sold for \$1,850 to Dwayne Amoss of Lemon Bridge, Md.

The Beef Expo also included an educational program emphasizing grazing management, handling newly arrived feeder cattle, forage storage and feeding methods, use of growth promotant implants, and legislation affecting animal agriculture. The expanded program for juniors included a 170-head junior heifer and steer show and an eight-stop Skillathon in which junior cattlemen demonstrated their skills and knowledge about a variety of important contemporary beef cattle management areas.

The juniors also competed in a special obstacle course competition which involved leading their calves through water, into and out of a trailer and a blocking chute, and several other exercises.

More than 200 juniors participated in one or more of the junior events. The juniors were treated to a pizza party courtesy of the Pennsylvania Cattlemen's Association.